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## CORRESPONDENCE.

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### SERVICE OF ATTACHMENT AGAINST CORPORATIONS.

*To the Editor of the Virginia Law Register :*

The writer would be glad to have through the REGISTER the views of the profession on this question :

A sues out an attachment against a foreign corporation owning property in this State, and the attachment is properly levied on certain real estate of the defendant corporation situate in the county in which the suit is brought. The writ, with order of attachment endorsed thereon, is properly issued and delivered to the sheriff, who serves it on an agent of the corporation in possession of the land, as required by sec. 2967 of the Code, but the service is not made ten days before the return-day of the writ as required by sec. 3227. In case the defendant appears, can he move to quash the attachment and dismiss the *whole proceeding* on account of the improper service of the writ to commence the suit, or should the court preserve the lien of the attachment and merely remand the plaintiff to rules for a new writ and service?

Sec. 3227, requiring a ten days' service where made on an agent of a corporation, applies, it would seem, only to processes to commence suits, and, as an order of attachment would not come under this head, this section would not apply to the service of the attachment order, but to the service of the writ only. Sec. 2967 provides that an attachment shall be served as a notice is required to be served under sec. 3207, but this latter section regulates only the mode and not the time of service; so it would seem that there is no statute in this State requiring a ten days' service of an attachment order under any circumstances.

Sec. 2971 gives the attachment plaintiff a lien, as respects real estate, from the time of *suing out the writ*. If, then, the plaintiff has a lien from the time of suing out the writ, and the order of attachment is served properly, but the process to commence the suit improperly, does the attachment lien fall with the process because of the improper service?

JNO. G. HAYTHE.

*Lynchburg, Va.*